

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: PORK ANTITRUST LITIGATION	Case No. 0:18-cv-01776-JRT-HB
IN RE: PORK ANTITRUST LITIGATION	Case No. 0:21-md-02998-JRT-HB
This document relates to:  Cheney Brothers, Inc. v. Agri Stats, Inc. et al.	Case No. 0:21-cv-01373-JRT-HB

**STIPULATION OF DISMISSAL WITH PREJUDICE  
OF CLAIMS BY CHENEY BROTHERS, INC.  
AGAINST DEFENDANT JBS USA FOOD COMPANY**

The parties in the above styled action, through counsel, stipulate to the following and respectfully request this Court’s approval of their stipulation:

This Stipulation is between Plaintiff Cheney Brothers, Inc. (“Plaintiff”) and Defendant JBS USA Food Company (“JBS USA”).

1. This Stipulation relates only to Plaintiff’s claims in *In re: Pork Antitrust Litigation*, Case No. 0:18-cv-01776-JRT-HB; *In re: Pork Antitrust Litigation*, 0:21-md-02998-JRT-HB (MDL No. 2998); and *Cheney Brothers, Inc. v. Agri Stats, Inc. et al.*, Case No. 21-cv-01373-JRT-HB (collectively referred to as “Actions”).

2. In accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff and JBS USA stipulate and agree to the dismissal, with prejudice, of Plaintiff’s claims asserted against JBS USA in the Actions with each side bearing its own

attorneys' fees and costs. The Stipulation of Dismissal, with prejudice, has no bearing on the Plaintiff's claims against Defendants other than JBS USA.

Dated: December 16, 2021

Respectfully submitted,

/s/ David B. Esau

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